

REMARKS

The drawing objection in paragraph 1 of the Office Action is corrected by changing 62 to 63 in paragraph 28 and making the same change to Figure 6b. A marked copy of Figure 6b is attached to show this change.

Figure 1 is revised and attached to show "L" with an arrow to address the drawing objection in paragraph 2 of the Office Action.

The objection to the drawings in paragraph 3 is traversed as the numeral 24 is in paragraph 28 but may have escaped the Examiner's view because it was not bolded in the filed application. Since paragraph 28 was revised for other reasons, discussed above, Applicants have bolded the numeral 24 as well. This should address fully the objection in paragraph 3 of the Office Action.

The claim objection to claim 16 in paragraph 4 of the Office Action has been addressed along the lines requested by the Examiner.

Claim 1 has been rejected as anticipated by Patel US 2002/0066573, cited by Applicants. To start with Applicants take issue with the Examiner's contention that a j-slot mechanism 15 or 20 can be a final controlled element. A final controlled element is what ultimately has to move to give the downhole tool utility. If it is a valve, then the valve member that opens or closes the tool is the final controlled element. If it is a packer, then the sealing element or slips are final control elements because without their movement the tool has no utility. The j-slot assembly 15 cannot be a final controlled element as used in claim 1. All it does is enable movement of mandrel 12 into sleeve 13 to turn ball 22. All the j-slot mechanism 20 does is allow the shifting tool 16 to raise 14 and 13 on the way out of the hole with string 30. The j-slot mechanisms are intermediate device that allow the final controlled element to move.

However, rather than getting into it on the issue of the propriety of the way the Examiner reads claim 1 in view of the reference, the focus of the argument will be on the Examiner's reliance on item 206 as the locking member and paragraphs 36-37 of Patel. While the operation of this fairly complex tool is hard to figure out from Figure 6 due to lack of cross hatching and parts that are nested within each other, the bottom line is that what the Examiner calls the movable component in the claim, Patel item 13, is retained by a collet structure 206 to a groove 214 while being specifically designed to release

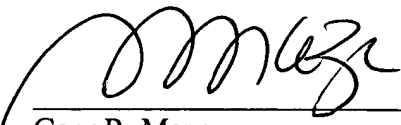
fingers 215 from notch 214 upon application of force to the structure 206 that the Examiner calls the lock assembly. So if 206 is what the Examiner is calling the lock assembly, then it is clear it is defeated by an applied force to it from shifting tool 16 to simply pop out of groove 214. The lock assembly of claim 1 does not let go when a force or a pattern of forces is applied to the lock assembly. Patel's lock 206 pops out of the groove and thereafter the valve operates after a pattern of forces operates the J-slot. In claim 1 no single or pattern of forces applied to the lock will allow the final controlled element to move. If the tool is a ball valve, for example, the ball will not turn despite a single or pattern of forces to the lock once it is triggered. This claim is not anticipated by Patel.

In reading Patel on claim 16 the Examiner correctly points to the valve member in Patel as 22, thus eliminating one above argument provided with regard to claim 1. The continuing reliance on 206 as the lock makes the other argument given with regard to claim 1 equally applicable to claim 16 in view of the similar amendment made to it.

Allowance of all the claims is respectfully requested.

Respectfully submitted,

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